



Canyon Area Residents for the Environment, Inc.

Golden, Colorado 80401

C.A.R.E. is a coalition of homeowners' associations & neighborhoods in the Mount Vernon Canyon.
Since 1987 it has served as an umbrella organization representing the central mountain communities of Jefferson County - from Clear Creek to Bear Creek, the Hogback to Rainbow Hills.

August 9, 1999

Megalie R. Salas, Esq.
Secretary, Federal Communications Commission
1919 M. Street, NW, Room 222
Washington, DC 20554

RECEIVED
AUG 13 1999
FCC MAIL ROOM

99-267/

Re: FCC Decision of May 27, 1999 Memorandum Opinion and Order 99-123-Notice of Decision and Resolution of Jefferson County Commissioners on Lake Cedar Group Rezoning Proposal and CARE Invitation to Broadcasters

Dear Ms. Salas:

I. Resolution of Jefferson County Commissioners denying Lake Cedar Group Rezoning Proposal

On August 3, 1999, the Jefferson County Commissioners approved the attached resolution denying the Lake Cedar Group rezoning proposal for a transmission building and "supertower" on Lookout Mountain. This resolution was issued following numerous public hearings where extensive sworn oral and written testimony was presented to the County Commissioners. The Jefferson County Commissioner's Resolution provides a number of reasons for their rejection of this proposal including but not limited to findings that the proposal:

...does not substantially conform with the Central Mountains Community Plan because it does not conform to the policy recommendations associated with visual resources, public services/facilities and mountain site design criteria.

...does not substantially conform with the Telecommunications Land Use Plan because it does not conform to the policy recommendations associated with tower siting.

...does not meet minimum standards for telecommunications facilities contained in the Jefferson County Zoning Resolution. The proposal fails to

meet these standards because it does not demonstrate that no alternative existing site is available to accommodate the equipment at a reasonable cost or other business terms, because the proposal does not contain sufficient setbacks, and because the proposal does not demonstrate that the NIER emission levels set forth in the Zoning Resolution are met.

That the proposal is incompatible with residential uses in the surrounding area. (page 2)

All three of the Jefferson County Commissioners voted against the Lake Cedar Group proposal on the day of the last hearing.

II. August 4, 1999 Invitation Issued to Broadcasters

The Jefferson County Commissioners asked CARE to work with Lake Cedar Group and the Lookout Mountain broadcasters to try to achieve a win-win solution for all concerned. CARE sent out the following invitation to the local and national broadcasters:

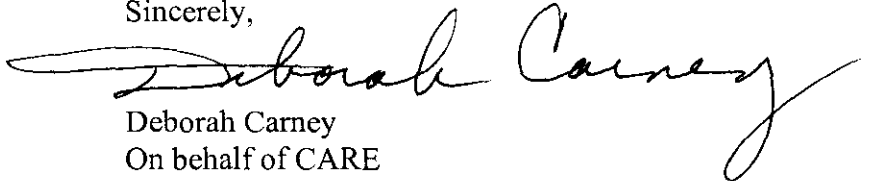
Dear Network Presidents, Lake Cedar Group Members, Attorneys and National Affiliates:

The Jefferson County Commissioners requested that CARE work with the broadcasters on a solution to the siting of HDTV broadcast antennas. This suggestion was made following the Commissioner's rejection of the Lake Cedar Group Rezoning Proposal for a supertower and transmission building on Lookout Mountain for both HTDV and FM. Numerous CARE Community members have expertise and contacts that may help solve problems with alternative sites suggested or anticipated by Lake Cedar Group. CARE offers its help in coping with issues that may be raised by the FAA, the Department of Commerce, the FCC and others regarding these alternative sites as well as sites not even previously discussed.

Lookout Mountain, with numerous residents in the main beam of radiation and even more residents exposed to major interference problems is a highly problematic site. These and many other issues raised at the Jefferson County Commissioners Hearings and in CARE filings with the FCC point to the need for a careful evaluation of alternatives. Please join us in reaching a solution that will promptly provide HDTV for Denver without harming people.

CARE has not received any responses to this invitation. CARE invites the FCC to informally talk with all the parties regarding constructive ideas for the rollout of HDTV in the Denver market.

Sincerely,



Deborah Carney
On behalf of CARE

PROOF OF SERVICE

I hereby certify that on this 10th day of August, 1999, a true and correct copy of the above was mailed, first class postage prepaid and properly addressed to:

Mr. William Kennard, Chairman of the FCC, original and 6 copies
(for transmittal to Commissioners Susan
Ness, Harold Furchtgott-Roth, Michael Powell, and Gloria Tristani)

Dr. Robert Cleveland,
445 12th St. S.W. FCC Room 7-A265,
Wash, D.C. 20554

Edward W. Hummers, Jr.
Holland & Knight LLP
2100 Pennsylvania Avenue, N.W. Suite 400
Washington, D.C. 20037-3202
(Counsel for Lake Cedar Group LLP and Twenver Broadcast, Inc.)

Todd D. Gray
Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Washington, D.C. 20036-6802
(Counsel for Rocky Mountain Public Broadcasting Network)

Marnie K. Sarver
Wiley, Rein & Fielding
1776 K Street N.W.
Washington, D.C. 20006
(Counsel for Gannett Colorado Broadcasting, Inc.)

Arthur B. Goodkind
Koteen & Naftalin, LLP
1150 Connecticut Avenue N.W.
Washington, D.C. 20036
(Counsel for McGraw-Hill Broadcasting)

Howard F. Jaeckel
CBS, Inc.
51 West 52nd Avenue
New York, New York 10019-6119
(Counsel for Group W/CBS Television Stations Partners)

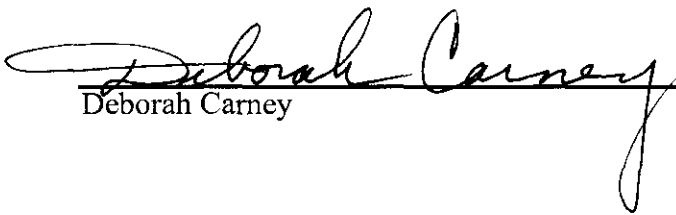
Thomas Ragonetti, Esq.
Otten, Johnson, Robinson and Neff
950 17th St. #1600
Denver, Co. 80202-2827
(Attorney for Lake Cedar Group)

And the following additional interested parties:

Jefferson County Commissioners
Michelle Lawrence
Pat Holloway
Richard Sheehan
Jefferson County Building
100 Jefferson County Pkwy.
Golden, CO 80401-3550
(through Mr. Ron Holliday, with extra copy for Mr. Tim Carl of Planning Department)

Ms Kaaren Hardy and Ms. Georgianna Contiguglia
State Hist Preserv. Officer
Colorado State Historical Society
Colorado History Museum
1300 Broadway, Denver, CO 80203-2137

Ms. Jane Cristler
Advisory Council on Historic Preservation
12136 Bayaud Ave., Lakewood, CO 80228


Deborah Carney

Commissioner Lawrence moved that the following Resolution be adopted:

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF JEFFERSON
STATE OF COLORADO

RESOLUTION NO. CC99-427

| | | | |
|-------------------|---|---------|-----|
| Case No. | 98015154RZP1 | Map No. | 107 |
| Applicant: | Lake Cedar Group, LLC | | |
| Location: | 21079 Cedar Lake Road Section 4 , Township 4 South, Range 70 West | | |
| From: | Mountain Residential-One and Agricultural-Two Zone Districts | | |
| To: | Planned Development Zone District | | |
| Purpose: | Installation of Telecommunications Tower and Support Equipment | | |
| Approximate Area: | 79.6 Acres | | |

WHEREAS, Lake Cedar Group, LLC did file an application with the Planning Department of Jefferson County to rezone the herein described property in Jefferson County from Mountain Residential-One and Agricultural-Two Zone Districts to Planned Development Zone District to allow for the installation of a new 854 foot tall broadcast tower and support equipment for digital TV, FM broadcasting, analog TV and low power telecommunication devices; and

WHEREAS, a public hearing was held by the Jefferson County Planning Commission on December 2, 1998, which hearing was continued to January 6, January 13, and July 13, 1999, at which time the Planning Commission did, by formal resolution, recommend approval of the subject rezoning application only with certain required conditions; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on February 2, 1999, which hearing was continued for additional testimony to March 10, April 27, May 27, June 29, and July 13, 1999; and

WHEREAS, based on the study of the Comprehensive Plan, comments of the Jefferson County Planning Commission, comments of the Jefferson County Planning Department, comments of public officials and agencies, and testimony and written comments from all interested parties, this Board finds as follows:

1. That proper posting, publication and public notice was provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of Jefferson County.
2. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.
3. That the proposal does not substantially conform with the Central Mountains Community Plan because it does not conform to the policy recommendations associated with visual resources, public services/facilities and mountain site design criteria.
4. That the proposal does not substantially conform with the Telecommunications Land Use Plan because it does not conform to the policy recommendations associated with tower siting.
5. That the proposal does not meet minimum standards for telecommunications facilities contained in the Jefferson County Zoning Resolution. The proposal fails to meet these standards because it does not demonstrate that no alternative existing site is available to accommodate the equipment at a reasonable cost or other business terms, because the proposal does not contain sufficient setbacks, and because the proposal does not demonstrate that the NIER emission levels set forth in the Zoning Resolution are met.
6. That the proposal is incompatible with residential uses in the surrounding area.
7. That for the above stated reasons, the applied for rezoning is not in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the residents of Jefferson County.
8. That each of the factors set forth above is adequate independently to support this resolution.

NOW, THEREFORE, BE IT RESOLVED that Rezoning Application Case No. 98015154RZP1 to amend Jefferson County Zoning Map No. 107 to rezone the Mountain Residential-One and Agricultural-Two Zone Districts to Planned Development Zone District for the following described unincorporated area of Jefferson County, be and hereby is DENIED.

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4 TOGETHER WITH A PART OF SUBDIVISION NO. 6 LOOKOUT MOUNTAIN PARK, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE S89°23'35"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4 A DISTANCE OF 654.27 FT. (S89°33'30"W 654.13 FT.(R)) TO A CORNER OF THAT TRACT OF LAND DESCRIBED IN BOOK 231 AT PAGE 239 OF THE JEFFERSON COUNTY RECORDS; THENCE ALONG THE BOUNDARY OF SAID TRACT THE FOLLOWING THREE (3) COURSES: 1) THENCE N03°36'52"W A DISTANCE OF 461.72 FT. (N03°21'14"W 462.66 FT.(R)), 2) THENCE S74°00'50"W A DISTANCE OF 233.57 FT. (S74°29'05"W 235.55 FT.(R)), 3) THENCE S65°22'50"W A DISTANCE OF 174.39 FT. (S65°14'10"W 172.05 FT.(R)); THENCE N25°04'45"W A DISTANCE OF 810.21 FT. (N24°22'47"W 831.86 FT.(R)) TO THE SOUTHWESTERLY CORNER OF LOT 9, BLOCK 4, SUBDIVISION NO. 6 LOOKOUT MOUNTAIN PARK, THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID BLOCK 4 S48°17'31"W A DISTANCE OF 470.54 FT. (S48°16'00"W 469.0 FT.(R)) TO THE SOUTHWESTERLY CORNER OF LOT 16 OF SAID BLOCK 4; THENCE N00°00'00"W A DISTANCE OF 235.71 FT.; THENCE S54°05'00"W A DISTANCE OF 64.79 FT. TO THE SOUTHWESTERLY CORNER OF LOTS 53, BLOCK 3 OF SAID SUBDIVISION NO. 6 LOOKOUT MOUNTAIN PARK; THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 53 N00°00'00"W A DISTANCE OF 142.49 FT. TO THE NORTHWESTERLY CORNER OF SAID LOT 53; THENCE ALONG THE NORTHERLY BOUNDARY LINES OF LOTS 53, 55 AND 57 OF SAID BLOCK 3 N37°16'36"E A DISTANCE OF 253.59 FT. (247.2 FT.(R)) TO THE NORTHEASTERLY CORNER OF SAID LOT 57; THENCE ALONG THE WESTERLY BOUNDARY LINES OF LOTS 59 AND 77 OF SAID BLOCK 3 N00°00'28"W A DISTANCE OF 99.92 FT. (107.9 FT.(R)); THENCE ALONG THE NORTHWESTERLY BOUNDARY LINE OF SAID LOT 77 N43°28'25"E A DISTANCE OF 23.94 FT.; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 77 AND THE SOUTHERLY LINE OF LOT 68 OF SAID BLOCK 3 S89°32'08"E A DISTANCE OF 253.45 FT. (233.7 FT.(R)) TO THE SOUTHEASTERLY CORNER OF THE WEST TWENTY FT. (20') OF LOT 68 OF SAID BLOCK 3; THENCE ALONG THE EASTERLY BOUNDARY LINE OF THE WEST TWENTY FT. (20') OF LOTS 68, 69 AND 70 OF SAID BLOCK 3 N00°03'04"E A DISTANCE OF 149.97 FT. TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF LOT 72 OF SAID BLOCK 3; THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 72 N89°37'55"W A DISTANCE OF 113.83 FT. TO THE MOST WESTERLY CORNER OF SAID LOT 72; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 72 ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 41°59'56", A RADIUS OF 225.00 FT., WHOSE CHORD BEARS S61°45'02"W, AND AN ARC LENGTH OF 164.93 FT. TO THE NORTHEASTERLY CORNER OF SAID LOT 72; THENCE N52°39'43"W A DISTANCE OF 28.99 FT. TO THE SOUTHWESTERLY CORNER OF LOT 29, BLOCK 1 OF SAID SUBDIVISION

NO. 6 LOOKOUT MOUNTAIN PARK; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 29 $N00^{\circ}04'40''W$ A DISTANCE OF 102.70 FT. TO THE NORTHWESTERLY CORNER OF SAID LOT 29; THENCE $N16^{\circ}20'56''W$ A DISTANCE OF 18.16 FT. TO THE SOUTHEASTERLY CORNER OF THE WEST TWENTY FT. (20') OF LOT 64 OF SAID BLOCK 1; THENCE ALONG THE EASTERLY BOUNDARY LINE OF THE WEST TWENTY FT. (20') OF SAID LOT 64 $N00^{\circ}03'27''E$ A DISTANCE OF 84.85 FT. TO A POINT ON THE NORTHERLY BOUNDARY LINE OF SAID BLOCK 1 THENCE ALONG SAID NORTHERLY BOUNDARY LINE THE FOLLOWING TWO (2) COURSES: 1) THENCE $S83^{\circ}07'38''W$ A DISTANCE OF 171.39 FT. ($S82^{\circ}43'18''W$ 201.00 FT.(R)) 2) THENCE $N86^{\circ}40'34''W$ ($N87^{\circ}03'16''W$ (R)) A DISTANCE OF 52.79 FT. TO THE NORTHWEST CORNER OF LOT 60 OF SAID BLOCK 1; THENCE $S00^{\circ}13'34''W$ A DISTANCE OF 275.25 FT. TO THE SOUTHEASTERLY CORNER OF LOT 23 OF SAID BLOCK 1; THENCE ALONG THE SOUTHERLY BOUNDARY LINES OF LOTS 23 AND 22 OF SAID BLOCK 1 $N74^{\circ}06'00''W$ A DISTANCE OF 103.66 FT. (104.0 FT.(R)) TO THE SOUTHWESTERLY CORNER OF SAID LOT 22; THENCE $N00^{\circ}15'22''W$ A DISTANCE OF 79.94 FT. (81.5 FT.(R)) TO THE NORTHWESTERLY CORNER OF SAID LOT 22; THENCE $N89^{\circ}40'57''W$ A DISTANCE OF 24.53 FT. TO THE SOUTHWESTERLY CORNER OF LOT 44 OF SAID BLOCK 1; THENCE $N00^{\circ}13'34''E$ A DISTANCE OF 174.04 FT. TO THE NORTHWESTERLY CORNER OF LOT 59 OF SAID BLOCK 1; THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID BLOCK 1 $N86^{\circ}40'34''W$ ($N87^{\circ}03'16''W$ (R)) A DISTANCE OF 222.49 FT. TO A POINT ON THE EASTERLY BOUNDARY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 2228 AT PAGE 9 OF THE JEFFERSON COUNTY RECORDS; THENCE ALONG SAID EASTERLY BOUNDARY LINE $N05^{\circ}47'54''W$ A DISTANCE OF 422.74 FT. ($N05^{\circ}33'15''W$ 396.54 FT.(R)) TO A POINT ON THE BOUNDARY LINE OF THAT TRACT OF LAND DESCRIBED IN BOOK 325 AT PAGE 300 OF THE JEFFERSON COUNTY RECORDS; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING TWO (2) COURSES: 1) $N88^{\circ}37'57''E$ A DISTANCE OF 440.23 FT. ($N88^{\circ}52'09''E$ 432.18 FT.(R)) 2) $N01^{\circ}21'19''W$ ($N00^{\circ}35'54''E$ (R)) A DISTANCE OF 270.0 FT. TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE ALONG SAID NORTH LINE $N88^{\circ}37'58''E$ A DISTANCE OF 1,401.33 FT. ($N88^{\circ}52'09''E$ 1,401.21 (R)) TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4 $S03^{\circ}43'21''E$ A DISTANCE OF 2,587.08 FT. ($S03^{\circ}29'00''E$ 2,587.20 FT.(R)) TO THE POINT OF BEGINNING.

A PARCEL OF LAND BEING LOTS 47, 48, 49, 50 AND 51, BLOCK 2, SUBDIVISION NO. 6 LOOKOUT MOUNTAIN PARK, A SUBDIVISION PLAT RECORDED IN BOOK 1 AT PAGE 11A OF THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, AND CONSIDERING THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 4 TO BEAR SOUTH $02^{\circ}42'23''$ EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE SOUTH $37^{\circ}53'45''$ EAST A DISTANCE OF 1208.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 47, BLOCK 2, BEING THE POINT OF BEGINNING;

THENCE SOUTH 74°06'00" EAST ALONG THE NORTHERLY LINE OF SAID LOTS 47, 48 AND 49, BLOCK 2 A DISTANCE OF 113.31 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 49, BLOCK 2 ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 111°49'00", A RADIUS OF 45.00 FEET AND AN ARC LENGTH OF 87.82 FEET;

THENCE SOUTH 37°43'00" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 49, 50 AND 51, BLOCK 2 A DISTANCE OF 108.91 FEET;

THENCE SOUTH 47°09'00" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 50 AND 51, BLOCK 2 A DISTANCE OF 89.50 FEET TO THE SOUTHWEST CORNER OF SAID LOT 51, BLOCK 2;

THENCE NORTH 00°00'00" WEST ALONG THE WESTERLY LINE OF SAID LOTS 51 AND 47, BLOCK 2 A DISTANCE OF 248.88 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.50 ACRES, MORE OR LESS.

A PARCEL OF LAND BEING LOT 35, THE EASTERLY HALF OF LOT 36, ALL OF LOTS 37 TO 42, BLOCK 2, SUBDIVISION NO. 6 LOOKOUT MOUNTAIN PARK, A SUBDIVISION PLAT RECORDED IN BOOK 1 AT PAGE 11A OF THE RECORDS OF THE JEFFERSON COUNTY CLERK AND RECORDER, LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4, AND CONSIDERING THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 4 TO BEAR SOUTH 02°42'23" EAST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 21°44'46" EAST A DISTANCE OF 1060.88 FEET TO THE NORTHWEST CORNER OF SAID LOT 35, BLOCK 2, BEING THE POINT OF BEGINNING;

THENCE NORTH 89°54'00" EAST ALONG THE NORTHERLY LINE OF SAID LOT 35, BLOCK 2 A DISTANCE OF 45.12 FEET;

THENCE SOUTH 73°26'00" EAST ALONG THE NORTHERLY LINE OF SAID LOTS 35, 37, 39 AND 41, BLOCK 2 A DISTANCE OF 135.06 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE NORTHERLY LINE OF SAID LOTS 41 AND 42, BLOCK 2, ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 21°08'00", A RADIUS OF 200.00 FEET AND AN ARC LENGTH OF 73.77 FEET;

THENCE SOUTH 52°18'00" EAST ALONG SAID NORTHERLY LINE OF LOT 42, BLOCK 2 A DISTANCE OF 15.75 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE EASTERLY LINE OF LOT 42, BLOCK 2, ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 108°54'00", A RADIUS OF 25.00 FEET AND AN ARC LENGTH OF 47.52 FEET;

THENCE SOUTH 56°36'00" WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 42, 40 AND 38, BLOCK 2 A DISTANCE OF 175.19 FEET;

THENCE SOUTH 60°24'00" WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 38 AND 36, BLOCK 2 A DISTANCE OF 33.96 FEET;

THENCE NORTH 00°00'00" WEST A DISTANCE OF 96.81 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 36, BLOCK 2;

THENCE SOUTH 77°11'53" WEST ALONG SAID NORTHERLY LINE OF LOT 36, BLOCK 2 AND ALONG THE SOUTHERLY LINE OF SAID LOT 35, BLOCK 2 A DISTANCE OF 76.91 FEET TO THE SOUTHWEST CORNER OF SAID LOT 35, BLOCK 2;

THENCE NORTH 00°00'00" WEST ALONG THE WESTERLY LINE OF SAID LOT 35, BLOCK 2 A DISTANCE OF 155.61 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.83 ACRES, MORE OR LESS.

CC99-427

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Commissioner Holloway seconded the adoption of the foregoing Resolution. The roll having been called, the vote was as follows:

| | |
|---|--------|
| Commissioner Michelle Lawrence | Aye |
| Commissioner Richard M. Sheehan | Absent |
| Commissioner Patricia B. Holloway, Chairman | Aye |

The Resolution was adopted by majority vote of the Board of County Commissioners of the County of Jefferson, State of Colorado.

Dated: August 3, 1999